

CONTACT REPORT

Subject: Change of ownership

DIVISION OF WATER RIGHTS
STATE WATER RESOURCES CONTROL BOARD

Division

Personnel

BILL RIGBY

Date 10/29/01

Time 2:30

Personal ☐

Where

Telephone ☒

Number

(209) 599-7502

Individual(s)/Agency Contacted

BOB WINTERS

Conversation Description:

I called phone # of RIVER RD. RANCH and got previous owner who gave me BOB WINTERS name as new owner. I called information to get phone # for BOB WINTERS, I called him and he informed me he was the new owner of the property and it is now called WINDEN FARMS. I followed up w/ letter & notices that were mailed 10/30/01

Decision(s)

Action Items

BR

HORSWILL, MEDEROS & DORMAN

JOSEPH LEWIS HORSWILL

DENNIS A. MEDEROS

DON D. DORMAN

JOSEPH L. SOARES (1918-1989)

BRIAN M. ROWSON, OF COUNSEL

ATTORNEYS AT LAW

791 NORTH CHERRY STREET

TULARE, CALIFORNIA 93274

MAILING ADDRESS

P.O. BOX 29

TULARE, CALIFORNIA 93275

TELEPHONE

(559) 686-3861

FACSIMILE

(559) 686-1514

March 14, 2002

VIA CERTIFIED MAIL #7000 1670 0010 0843 8764

~ RETURN RECEIPT REQUESTED ~

Bill Rigby
Water Resource Control Engineer
STATE WATER RESOURCES CONTROL BOARD
Post Office Box 2000
Sacramento, California 95812-2000

Re: Statement of Water Diversion and Use Number S004337

Dear Mr. Rigby:

Reference is made to your letter dated November 13, 2001 (a copy of which is enclosed). After researching the issues indicated in your letter as it relates to the Statement Number indicated above, we have determined that execution of the NOTICE OF ASSIGNMENT FOR STATEMENT OF WATER DIVERSION AND USE is impractical. As such, we are submitting the statement of Robert G. den Dulk certifying the present owners and assignees of the property described in the SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE.

Please update your records concerning the above and if there are any other steps which need to be taken, please contact me in that regard.

Sincerely,

HORSWILL, MEDEROS & DORMAN



Dennis A. Mederos

DAM:db
Enclosures
cc: Client



Winston H. Hickox
Secretary for
Environmental
Protection

State Water Resources Control Board

Division of Water Rights

1001 I Street, 14th Floor • Sacramento, California 95814 • (916) 341-5300
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000
FAX (916) 341-5400 • Web Site Address: <http://www.swrhc.ca.gov>
Division of Water Rights: <http://www.waterrights.ca.gov>



Gray Davis
Governor

 **COPY**

NOV 13 2001

In Reply Refer
to: 332:BR:S004337

Winden Farms
c/o Bob Winters
18499 S. Jack Tone Rd.
Manteca, CA 95366

Dear Mr. Winters

ASSIGNMENT OF STATEMENT OF WATER DIVERSION AND USE NO. S004337

On August 24, 2001, the State Water Resources Control Board, Division of Water Rights (Division), sent out two Notices of Application to Appropriate Water by Permit filed by Six Mile Land Company and Thomson Family Trust. These Notices were sent to a list of persons and organizations who either have a water right issued by the Division or who have filed a Statement of Water Diversion and Use and are near or downstream of the proposed point(s) of diversion as stated in the Notice.

The Notices that were sent to one of the parties on our mailing list, River Road Ranch, were returned to us undelivered. On October 29, 2001, I contacted the former owner of River Road Ranch and learned that you are the new owner. Afterwards I spoke with you to confirm that you are the new owner. You also informed me that the new name of the property described in Statement of Water Diversion and Use No. S004337 is Winden Farms.

This letter is to request that you ask the former owners to sign the enclosed "Notice of Assignment for Statement of Water Diversion and Use" and return it to us. If this is impractical, we request that you send us a statement certifying that you are the present owner and assignee of the property described in the enclosed Supplemental Statement of Water Diversion and Use, Statement No. S004337, so that we may update our records.

If you have any questions, please contact me at (916) 341-5376, or by e-mail at brigby@waterrights.swrhc.ca.gov.

Sincerely,



Bill Rigby
Water Resource Control Engineer
Application Processing and
Initial Compliance Unit

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web site at <http://www.swrhc.ca.gov>"

Y900



AFFIDAVIT OF CERTIFICATION

STATE OF CALIFORNIA)
) SS.
COUNTY OF TULARE)

I, **ROBERT G. den DULK**, hereby certify that the present owners of STATEMENT
OF WATER DIVERSION AND USE NUMBER S004337 are as follows:

1. Robert G. den Dulk and Nellie den Dulk, husband and wife as to an undivided one-quarter (¼) interest;
2. Timothy C. den Dulk and Marietta den Dulk, husband and wife as to an undivided one-quarter (¼) interest;
3. Robert F. Winters and Denise Winters, husband and wife as to an undivided one-quarter (¼) interest;
4. Pete Winters and Florence Winters, husband and wife as to an undivided one-quarter (¼) interest.

Ownership was acquired by partnership Grant Deed recorded in the office of
the San Joaquin County Recorder on December 3, 1987 as Document Number 87109692.

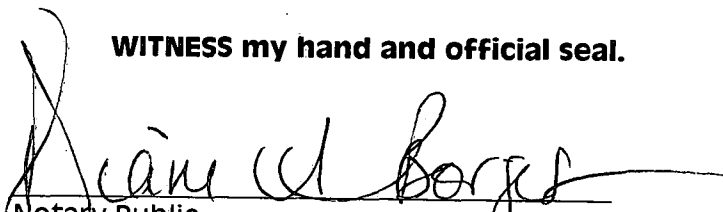
I declare under penalty of perjury that the foregoing is true and correct and
this document was executed at Tulare, California on this 14th day of March, 2002.

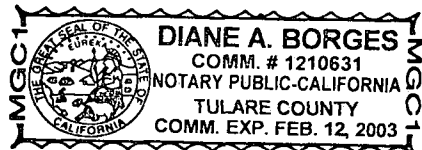

ROBERT G. den DULK

STATE OF CALIFORNIA)
) SS.
COUNTY OF TULARE)

On March 14, 2002, before me, a Notary Public, personally appeared **ROBERT G. den DULK**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.


Notary Public



(Seal)

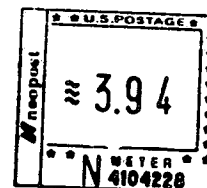
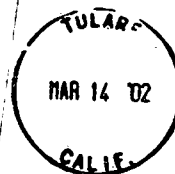
PLACE STICKER AT TOP OF ENVELOPE
TO THE RIGHT OF RETURN ADDRESS
FOLD AT DOTTED LINE

ATTORNEYS AT LAW

P.O. BOX 29

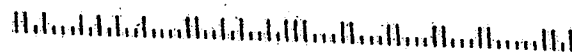
CERTIFIED MAIL

7000 1670 0010 0843 8764



Bill Rigby
Water Resource Control Engineer
STATE WATER RESOURCES CONTROL BOARD
Post Office Box 2000
Sacramento, California 95812-2000
|||||

97B12+2000



5-4337

**** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ****

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S004337

OWNER OF RECORD: RIVER ROAD RANCH

RIVER ROAD RANCH
3843 TOOMES ROAD
MODESTO, CA 95351

Property Sold

STATE WATER RESOURCES
CONTROL BOARD
DIV. OF WATER RIGHTS
SACRAMENTO
1995 MAR 27 PM 3:00

SOURCE: STANISLAUS RIVER

TRIBUTARY TO: SAN JOAQUIN RIVER

COUNTY: SAN JOAQUIN

DIVERSION

WITHIN: SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ SECTION 23, T2S, R8E, MDB&M.

TELEPHONE NUMBER:

(209) 545-0951

YEAR OF FIRST USE:

PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995.

A. Water is used under: Riparian claim _____; Pre 1914 right _____; Other (explain) _____

B. Year of first use (Please provide if missing above) _____.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC	TOTAL ANNUAL
1992													
1993													
1994													

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering _____; Domestic _____

Other (specify) _____

***** CONTINUE ON BACK PAGE *****

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: _____, 19____, at _____, California

SIGNATURE: _____

PRINTED NAME: _____
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: _____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
STATEMENT OF WATER DIVERSION AND USE

S4337

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water LIBBY, McNEILL & LIBBY
Address 18840 East River Road, Ripon, California 95366

B. Name of body of water at point of diversion Stanislaus River
Tributary to San Joaquin SEA RIAP

C. Place of diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, Township 2S, Range 8E, MD B&M,
San Joaquin County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works

E. Capacity of diversion works 5,000 gallons per minute
Capacity of storage reservoir No Reservoir
State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
			1	1	1½	2	2	1½	1				10 acre feet

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

Maximum annual water use in recent years 10 acre feet gallons acre-ft

Minimum annual water use in recent years 6 acre feet gallons acre-ft

Type of diversion facility: gravity, pump, X

Method of measurement: weir, flume, electric power meter, water meter, X, estimate

F. Purpose of use (what water is being used for) irrigation of 353 acres of yellow
cling peaches

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)
See Attached

H. Year of first use as nearly as known Ranch purchased in 1958, year of first use not known

I. Name of person filing statement R. D. O'Donnell

Position Vice President Organization Libby, McNeill & Libby

Address 200 South Michigan Avenue, Chicago, Illinois 60604

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed May 15, 1968

Signature

R D O'Donnell

See Instructions on Reverse Side